P.F. 31 of 96

G. R. S. IX-5]

Previous references.

1894-1895

192

(L.R.)

File No. 98 of 94

Serial Nos. 1-13

Later references.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1-13

Major ~~Part~~ B for February 1897

SUBJECT.

Appeal of Venkatasubbaiah of Somahalli Gundalupet Taluk, regarding Shanbhogi

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Indexed

BSB/R

A. S. No. 30 of 1894-95 (4)

Petitioner - Venkata Subbia
Shanboque of Somanahalli
Kelsur Hobli - Gundalpett
Taluk.

Appeal against the order of the Dy. Commissioner, Mysore District suspending petitioner from the office of Shanboque.

The facts of the case are as follows:-

On the 13th July 1893 the ryots of Somahalli complained to Dy Commr against petitioner Venkata Subbia as follows:

Petition No 1.

That Subbaraya and Puttasamia were joint Shanboques of Somanahalli. In 1855 on the complaint of ryots it was ordered that only one Shanboque Subbaraya should look after the work and that Puttasamia might receive his share of inams. Till 1890 Chennigaraya son of Subbaraya continued to be the sole Shanboque and there was no from the petitioners though he has been forbidden to do the same after Survey Settlement.

He prevents ~~wa~~ washermen and Musicians from attending marriages in their houses.

The petitioners pray that according to Survey Rules only one Shanbogue may be retained for the village.

Petition No 2

On the same date Siddalingadevaru and three others presented also a petition complaining against the petitioner as follows:-

Survey Nos. 322 and 323 which had been forfeited to Government having been darkhasted for by one Balagiri Pulla were, on the false certificate of petitioner Venkatasubbia that the said lands were resigned by previous holders in Chitrabhanu, granted to him.

He has caused the land known as Gaddehola (magi No. 388 = Survey Nos. 458 & 459) resigned by Arle Veeral Setti Nanjasetti to be granted to Agasara Sidda by falsely certifying that the land contained trees not worth valuation although he knew that the darkhasts received previously from Shanbogue Chennigaraya & others had been re-jected as the lands not only contained large number of Sandi trees but it was also situated in the midst of Sendi Vanams.

Though Devangada Malla Setti has been working a loom in Koombara Timma's house yet he has not levied loom tax from him through personal interest.

He has deceived Government by not levying professional tax from one Moorada Setti although he has been trading in cloth for the last one year.

He has likewise failed to charge ~~wheel tax to~~ wheel tax Dasetti and Madegowda though they have their carts.

The petitioners prayed that the lands above referred to might be ~~examined~~ ordered to be inspected &c.

On the 12th June 93 Shanboga Chennappaya also presented a petition to the Dy. Commissioner complaining ~~against the petitioner~~ as follows. Petition No 3.

He had darkhasted for map No. 388 (Survey Nos 458 and 459) in 1885. It was rejected on the ground that the land had contained 50 or 60 date trees and 11 plants. Vide Endt. No. 16 of 6-2-85

He again darkhasted for the said No. in 1889. The land was declined to be granted for cultivation as the same had been included in Abkari Inspector's list. Vide Endt. No. 14 of 31-8-8

In 1891 he again darkhasted for the same No. It was declined to be granted as it contained 170 date trees and 35 date plants Vide Endt. No. 11 of 20-7-

Inspite of this the land was during last year granted to Agasara Sidda Setti in his absence for a trifling Malki Amount of Rs. 8-8-0. The lands are being prepared complaint of the ryots. Since 1890 two Shanbogues [illegible] and [illegible] were engaged to do the duties by turns. This has led to Shanbogue [illegible] committing following irregularities.

He has made illegal collections from [illegible], [illegible] and [illegible] during 1891. The matter was enquired into by the then Amildar, but no order was passed; He does not carry on collection work in the village chavadi in the presence of the Patel, but collects money in his house and ill-treats those that go there.

He effects the transfer of [illegible] persons from whom he expects some help and throws obstacles in the cases of persons who do not accept his terms.

He has encroached upon certain lands that were kept as 'Kharab' in the survey, thus obstructing the villagers and cattle from passing through it as usual.

He has taken up for cultivation in the name of his son land (Survey no. 233 and Survey No. 257) which has been shown as [illegible] in the [illegible] and which contains a [illegible] useful for cattle in addition to the [illegible] fruits trees. This has been inspected by the Amildar.

He has collected from [illegible] [illegible] [illegible]

1 [illegible] [illegible] [illegible]
2 [illegible] trees
2 [illegible] — do

5

Vide Dy. Supdt. Nos.
$\frac{141}{558}$ of 10-6-93.
1479 of 29-7-93
10 of 30-7-93.

No. $\frac{210}{260}$ of 31-7-93.

for cultivation by the removal of the date trees.

These petitions were forwarded to the 2d. Sub. Assistant Supt. for disposal who in his turn referred them to Tahsildar for report and the Tahsildar after inspecting the land under complaint made due Enquiry reported as follows

Owing to there being two Shanbhogues for the village one opposed to the other there has been two parties in the village one petitioning against the other.

The Shekdar has been ordered to Enquire about the petitioner failing to levy Mahalwarfa on the three individuals referred to in the petition forwarded with Dy. Supdt. Hukum No. 10 and to submit proceedings of Enquiry at the "Dittam Tanike". Such complaint about Mahalarja ~~are~~ being usual in villages containing faction this matter has been reserved for separate investigation and only the items of complaint were Examined into.

Petitioner Kunhalu Subba having filed a regular suit for the Shanbhogship of this village the Dy. Supdt. after hearing all the previous records containing imputations against the petitioner decided in O.S. No. 1 of 1888-89 that the petitioner's name should be registered to the office and that he and Shanbhogue may jointly conduct the duties of the office in alternate years by terms - the petitioner's conduct ~~from~~ does not seem from the above records to be straightforward.

1. With reference to excess collection made by the petitioner the Commissioner reports that, from the proceedings [illegible] held by the Collector in 1891 and in which he found orders has been passed, the petitioner appears to have collected one rupee in excess from one Naidu -

2. The petitioner without ~~[illegible]~~ bringing land Survey No. 257 measuring a. 5-15 and assessed at Rs. 5-8- and which contains a Neem tree valued at Rs. 10/- to public auction has entered the value of the tree at Rs. 4, recovered the same from his son [illegible] and caused the patta of the land to be made in his son's name.

See Tasildar's of 31-10-92

3. He caused lands Nos. 458 and 459 to be given out for cultivation to one [illegible] 24-9-92 for Rs. 5-8- reporting falsely that the lands contained [illegible] large and 16 small date trees which in reality they contained 224 large and small trees as per ~~[illegible]~~ inspector's report. One [illegible] had applied for the lands twice, once in 1885, again in 1889 and lastly in 1891. And was refused on the ground that they contained such a number of date trees - the petitioner justifies his action that as the large number of trees were on the eastern portion of the land he did not mention them, that he was ignorant of the rules relating to individuals [illegible] to trees on that [illegible] and that he was not aware about the rejection of the [illegible] submitted by [illegible]

See Tasildar's of 30-6-92

See his statement before the Commissioner of 20-9-93.

the Amildar was pointed out, that these certi-fications were false; that he never mentioned to anybody in the village or even to the Patel the fact of these Nos. as well as that given to his son being given out for cultivation and states that on considering all these he has wilfully defrauded Government.

4. Petitioner granted for cultivation darcast Nos. 332 and 323 to one Putta without bid although the said Nos. were forfeited to Government on account of arrears due on the land from the Khatedar. The petitioner alleges that he issued the certificate without knowing the above fact.

This charge is not at all met by the petitioner in his appeal petition, though he notices all the other charges

The Amildar in conclusion states that as it is dangerous to keep petitioner Venkata Subbia as Shanbogue he may be deprived of his turn and kept under suspension for some years and that lands Nos. 458 & 459 may be given up to the first applicant or reserved for Government.

No. $\frac{276}{836}$ of 11-11-93.

The A. Sub. Asst. Comr. in submitting the proceedings to the Dy. Commr. reported that from the proceedings of the Amildar's personal Enquiry it was evident that petitioner Shanbogue Venkata Subbia had wilfully committed the irregularities, referred to and suggested

9

1. Marpoza tree
2 Banian small trees
2 Date trees.

2. That the Sheikdar personally inspected the land, valued the trees in it and took a Muchalika from the Darkhastdar -

3. That below his certificate entered in the Darkhast and the list the Sheikdar has added his opinion to the effect that there is a Katte in the land holding one month's supply of water in the rainy season that the ryots allege that the same is usefu to the cattle and that reserving the Katte the land may be given - that the Marpoza and Banian trees would amount to 8 cart loads of fuel and that the land may be given for cultivation -

4. That the charge viz - that though Survey Nos. 45-8 & 45-9 in Somahalle are fit for date grove owing to large number of date trees on it yet he has concealed this fact and caused the land to be given to Agasara Sidda Setti - is false. These lands had been under culti-vation and were resigned by the Khateda in Vishu 1881-82 - They were lying wa since then -

5. That the lands were in the holding of Arale Veeralla Setti Nanja Setti - A sma halla runs from a distance on the Nor of them over the cultivable portion. The halla had not belonged to occupants fr the beginning but had belonged to foot During Survey so much of the halla that had formed part of the Darkhast land.

was classed as Kharab - There are some date trees on it -

6. That the Darkhastdar applied to the Taluk for these lands including the portion containing date trees - He has stated on the darkhast sent to Shekdar that deducting the 39 guntas of Kharab in these two nos. containing date trees the remaining portions may be granted. He was not informed by anybody that the said two nos. had been previously darkhasted for - Nor was it known from the records - Shanbogue Chennigaraya did not also inform him about this - He was not aware of this fact as he assumed charge of the office in Vikruti 1890 -

This explanation if true, enough to condemn the sy of officiating by rotation as seems favourable to irresponsibil

7. That the Shekdar having held the Ajmaish of the lands and estimated the trees on them to cost Rs. 8/8 entered ~~on the~~ a remark on the Darkhast to the effect that as the villagers had no takrar to the lands being granted for cultivation and caused them to be granted to Darkhastdar - He did not conceal any fact -

For an explanation of Shekdar's conduct, ~~from~~ th amildar's report - the mate portion is translated - should to

8. That he has not committed any "tagalufi" in the Kandayam recovered from Kabsahalli Basava - The amount he paid was entered in the receipt book - The balance due by him was recovered on issuing a notice -

9. That the said Basava complained against him to the Taluk through the instigation of Shanbogue Chennigaraya - Enquiry was held into the matter by the then Amildar who died before the Enquiry was completed - This forms also one of the items of complaint -

that an example must be set by giving him an exemplary punishment.

Thereupon the Dy. Commissioner having called for the proceedings under which petitioner was appointed as Shanbogue and seeing that in April 1890 the Amildar was directed to take work from petitioner in conformity with the decree passed by the previous Dy. Commissioner asked the opinion of the 2nd Asst. Comr. as to what punishment should be given to petitioner.

No. 1136/362 of 6-2-94

Vide file No. of 5-4-90

No. 1558/534 of 20-4-94.

The latter officer in reply informed the former that the petitioner appeared from enquiry to bear bad character and that he might be suspended from office for a period of five years

No. 61/2982 of 4-6-94

On this the Dy. Commissioner passed the following order.

No. 66/44 of 2-7-94

"He may be suspended for two years as five years may be considered too long. And a man of the same family but separated from him in interest appointed in his place -

Against the above order the petitioner has appealed urging the following points:

1. That there are no valuable trees in Govt. waste lands in Somahalli - that if there were, he has not failed to bring the same to the notice of Govt. and that he has not caused the land to be granted to anyone for cultivation without the orders of Govt.

493

In this case, there is a decree dated 1889 in favour of Venkatasubbaya. In pursuance of that decree, he held the office for some time. He was subsequently suspended for 2 years on 2-7-94. He appealed against the order of suspension. His appeal was dismissed on perusal of the papers. The record of the suit which decreed his right to officiate by turns was thereupon called for. On receipt of that record, the present order has been passed questioning the correctness of the decree of 1889 & directing ~~the discon~~-~~tinuance of~~ that the practice of taking work by turns be ~~dis~~ discontinued and Venkatasubbaraya ~~[illegible]~~ be allowed to continue to do the work until further orders. The effect of this order would be a reversal of the decree of 1889 & the suspension for 2 years which period terminates ~~in~~ a month & a half hence, was complained of, but the order passed without hearing the appellant, ultimately directs his removal from office until further orders. In other words, he

I submit that even in a judicial proceeding, before passing an order of this kind, the person likely to be affected thereby is entitled to a notice & hearing.

much wor
now than
would
been if
not prefe
an appea
he woul
be perm
~~[illegible]~~ be th
Judging

Retransmitted
for consideration
& orders. C.

18-5-96

Let the order
as altered so.
Let a notice be
issued to both the
parties & the
case posted for
trial in the usual
course [illegible]
9/11/96

To issue
[illegible]
11/11

Posted to 26/11/96
notices to issue

Issued 11/11
14/11

Issue a notice
& post it
13-11-96

10 That the fact that the villagers complained about his irregularities is false - The complaints are all the creation of Chaniappa Chennappaiya and his wicked associates Iddalinga Devaru and others, and this is owing to the grudge which the said Chennappaiya cherishes against him for having esta-blished his (title) right to the office by a regular suit filed by him in 1888-89.

The petitioner prays that the entire records may be perused - that the order of the Lower Court suspending him from office for two years may be cancelled - that he may be reinstated in his office and that the wicked persons who set up false complaints against him may be punished.

WK

Before the Government of Mysore.

Revision case ~~Appeal~~ No. 69 of 1896-97

~~Appellant.~~ Plaintiff Venkatasubbaiya — Vs. — ~~Respondent.~~ Defendant: Channigaraiah.

Dispute regarding the Shanbhogi of Somahalli, Gundlupet Taluk.

List of papers in English

(1) Venkatasubbaiya's petition d/ 22. 8. 94.
(2) Offl Memorandum.
(3) Dy Commr's letter d/ 23. 12. 94.
(4) Office Precis.
(5) Venkatasubbaiya's petition d/ 30. 5. 95, with [illegible]
(6) Endt. 12742 to Venkatasubbaiah.
(7) Docket to Dy Commr d/ 18. 3. 96 calling for records.
(8) Dy Commr's letter d/ 11. 4. 96.
(9) Docket of Dy Commr 25. 4. 96.
(10) Printed copy of Civil Court decisions.
(11) Dy Commr's judt in R. S. No. [illegible] of 88-89
(12) do decree do.
(13) do letter dated 5. 5. 96.
(14) Govt Procs No. $\frac{4353}{R. 038}$ d/ 13. 11. 96

returned to D.C. (10)–(12)
31/12
18/1

Chennigaraya and Venkata
Subbayya have both appeared;
both of them seem unfit
for work on account of old
age - It is against standing
orders to appoint 5 handymen
[illegible] to do work by turns.
The Dy Comm. will be requested
to ~~a~~ select a competent heir
of either of these persons and
to appoint him as the sole officiator.
26-11-96

Gen. Serial No. 32.]

(1)

1894

No. 694 L.R. 98-94-1

Name of Petitioner. Venkatasubbiah Shanbhog

Village. Somahalli

Taluk. Gundlu

District. Mysore

Date of Arzi. 22-8-94

Date of Receipt. 29-8-94

Date of Disposal.

No. of Enclosures. three

Subd to Council
In time
Stamp sufficient
8/9

Call for Pro

Appeals against the Amildar's order dated 31-7-94, informing him of the order no:25 of the 2nd General Assistan Commissioner embodying the Deputy Commissioner's order no: 06 dated 2-7-94.

The order appealed against is as follows.

The villagers complained against the bad conduct of the Shanbhog Venkatasu to the effect that he granted certain Govt. land for cultivation to his son although the land contained valuable trees in it which fact he purposely failed to bring to the notice of the Govt., that he concealed the fact that the lands S: nos: 458 & 459

Contd.

ntained valuable date trees + gran
me lands to Agasara Sidda Setti for
ltivation; + that he embezzled the
sessment money recovered from Kabbahalli
asava. On this the amildar Mr. Ramachandra Rao
ade enquiries in the matter + reported
e result to the District office. In reply
e Deputy Commissioner issued orders
hrough the General Assistant Commissioner
o the effect that the Shanbhog Venkatasubbiah
suspended for two years + that a competent
ivided cousin of the Shanbhog should be
hosen for looking after the duties. ~~Do~~
o, you must produce a competent divided cousin
f yours for looking after the duties within
week from the date you receive this order.
lse a person will be appointed by the Govt.

The petitioner urges —

1. That there are no valuable trees in the
Govt. waste lands in Somahalli, that
he has not failed to bring such fact
to the notice of the Govt., + that he
has not granted the land to his son
for cultivation without Govt. orders.
2. That the Sheikdar personally inspected
the land, valued the trees in it + took
a Muchalika from the Darkhastdar.
3. That after his certifying the darkhast, the
Sheikdar has written his opinion below that the
land may be granted for cultivation although
ontains certain trees + a Katte for cattle.

4. That the second charge against him is
quite false. The lands S. nos. 458 &
459 were under cultivation in the
year 1881-82 & then became banjar
when the owners tendered Razinama.
That the lands contain very few
date trees & that too not in the porti
cultivated & a darkhast had been
received previously which fact
the Shanbhog Chennigaraya failed
to inform him, as he took charge of
the office only 1890.

6. That the Sheikdar has clearly
written in the darkhast that there
are no takrars of the ryots for granting
the said lands for cultivation & so
he (petr.) has not concealed any fact.

7. That he has not embezzled the amo
ment, recovered from Habbahalli Ba
that he has entered the received amount
in the receipt Book & has recovere
the due amount through issuing notice

8. That Chennigaraya, through zid,
instigated the said Basanna to file
a complaint against him (petr.).

9. That the charge that the people
complained against him is false,
the complaints are all the creation
of the Shanbhog Chennigaraya
& his wicked associates Sidda
Linga Devaru & others.

Prays

Prays therefore that the entire records may be perused, that the order of the Lower Court, suspending him for 2 years, may be cancelled, that he may be reinstated in his office, & that the wicked persons who created false complaints against him may be brought to justice.

No. Pet / 615 83 12-8-11.

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

L.R-98-94-2

The accompanying Petition No. 694 dated 22nd Augst 94 received at the Dewan's Office from Venkata Subbia Shan of Somahalli Gundalpet Taluk, appealing against the order of the Deputy Comr. suspending ~~petitioner~~ him from the Shanbhoge of the above village is forwarded, together with its 3 enclosures, to the Deputy Commissioner Mysore District for submission of the entire Proceedings relating to the Case

The Petition and its enclosures are to be returned

By Order,

Dmge 26/10

for Chief Secretary.

BANGALORE,
24 Oct 1894.
8M.

Mlc
26/10

1894 8698(3)

Pet 373

22

From

The Deputy Commissioner,
Mysore District.

L.R. 98-94-3

To

The Chief Secretary to the Dewan of Mysore.

Dated 23rd }
Despatched 27th } December 1894
Received }

Enclosures No. 1 file

No. 687

Submits proceedings in the case of Venkatasubbiah, shanboghue of Somanahalli in the Gundalpet Taluk.

11/1

Checked:
12/1/95.

Précis Mr K. Iyengar
15/1

468

No.
Enclosures No.

DEPUTY COMMISSIONER'S OFFICE,
MYSORE DISTRICT,
Dated 23/27 December 894.

From
A Rangasamy Iyengar Esquire
Deputy Commissioner,
Mysore District.

To

The Chief Secretary to the Dewan of Mysore.

SIR,

With reference to your order no Pet./615 dated 24/8/11 October last directing the submission of the entire proceedings relating to the case of Venkatasubbiah Shanbogue of Somanahally Gundalpet Taluk, I have the honor to submit herewith the proceedings as directed.

The petition and its enclosures received with the above are herewith resubmitted.

I have the honor to be
Sir,
Your most obedient Servant.

for Dy Commissioner,
Mysore District

MM

[illegible]

8 - 8 - 94

[illegible]

[illegible]

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. N. 694 R
DATE 29-8-94

[illegible]

20-3-96

No. 56 [illegible]

[illegible]

೧ [illegible]

೨ [illegible]

೩ [illegible]

೪ [illegible]

੫ [illegible]

੬ [illegible]

੭ [illegible]

੮ [illegible]

੯ [illegible]

੧੦ [illegible]

[illegible] 8-11-94

27

Rd
26/8
[illegible]
27/8

The references were put up to the Councillor on 12/6/95 with letter No. 857 of 23-12-95 from the [illegible] (L.R. No. $\frac{8498}{383}$).

14/9

Submitted

16/9

[illegible] to the 2nd Councillor

22-9-95

Decline interference in this matter of petition about suspension [illegible] [illegible] [illegible].

But call for the record about [illegible] [illegible] resolution [illegible]

11/3/96

Draft Rd
17/3/96

[illegible]
17/3/96

Draft [illegible]

21/3/96 [illegible] 11/3

Rd from [illegible] Rao
16/3/96

~~[illegible]~~

~~423~~

Gen. Serial No. 32.]

(5)

1895

No. 742 L.R. 98-94-4

Name of Petitioner. Venkata Lakshmi [illegible]

Village. [illegible]

Taluk. Gundal

District. Mysore

Date of Arzi. 6-8-95

Date of Receipt. 14-8-95

Date of Disposal.

No. of Enclosures. Nil

ABSTRACT.

States that on 22-8-94 he preferred an appeal against the order of the [illegible] suspending him from office for a period of two years. that on 24-10-94 the [illegible] passed [illegible] $\frac{8}{11}$ -94 informing him that [illegible] [illegible] [illegible] [illegible] proceedings - that [illegible] have been [illegible] in the appeal and that consequently he has been deprived of his pay [illegible]. Prays that his suspension may be cancelled and he may be reinstated in his office.

24/8

24/8

R. P. (Kirst.)
Papers
14/8/95

[illegible] Dewan's Office
Petition Department
Petn. No. 7 [illegible]
Date 14/8/95

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Gen. 31.] 1896 (7)

From

L.R. 98-94 L/5

To The Deputy Commissioner
Mysore District.

Dated 18/3/96.
Despatched 20
Received ✓

General No. 8575
Pet No. 1732.

Enclosure No. one

His letter no 687 dated 23-[illegible] submitting the records relating to the suspension of Vankata Subbia, the Shanbhog of Somahalli in the Gundalpet Taluk for two years.

Has the honour to forward for information copy of endorsement issued to Petitioner Vankat Subbia intimating that Govt. decline to interfere with th order of suspension.

2 The records received with the above show that in Suit no. 1 of 1888-89 Petitioner Venkatasubbia and one Chennagirayah were ~~conducted~~ directed to conduct the duties of the office in alternate years by turns, and that orders* dated 5th April 1890 and 1st Sept. 90 were issued to the Amildar in pursuance of the decree therein

* File no. 17 no. 2(4)

3. Requests that the entire records relating to these orders may be forwarded to this office as early as practicable.

By order

Despt. 18/3
for Secretary

31

22-8-94 [illegible]

20-3-96 [illegible]

[illegible]
20-3-96
(6)

ನಂಬರ್
742 [illegible] R. 98-94-6

[illegible]

[illegible]

[illegible]

[illegible] 22-8-94, 6-8-95 [illegible]

[illegible]

[illegible] 18-3-96

By order
Asst. 18/3
For Secretary.

Copy of the above Endorsement is forwarded to the Dy. Commr. Bangalore District with reference to his No. 687 d/ 28-12-95.
By order
Asst.
For Secretary

The references required are put up with
[illegible] No 2493 d/ 1/1/96.

3

Put up
17/4/96

Records of the Revenue suit No. 1 of 1888-89
have not been sent. A copy of the
decree therein d/ 18-11-89 signed by
Mr. Ramachandra Rao for Dy Commr
put up.
Call for orig. records of the suit

19/4

Draft [illegible]
22/4/96

Gen. 31]

1895.96

Ret 77 62/682

APR 96

L.R. 98-94-7

(8.)

From The Deputy Commissioner
of the Mysore distt.

To The Secretary to the
Govt. of Mysore
Rev & Genl depts.

Dated 11th } April 1896
Despatched
Received

General No.
No. 1264

Enclosure No. Canarese record

Submits correspondence relating to the Shanbogship of the Somahalli in Gundulpet taluk

Rev
14-4-96

Recd 15·4·96
Peruse

Deputy Commissioners Office
Mysore district

No. 1264.
Em. file Dated Mysore April 11th 1896

To

The Secretary to the
Government of Mysore
Revenue and Genl. departments

Sir,

As required in para 3 of your docket No $\frac{8515}{R.\,1732}$ dated the 18th March 1896, I beg to submit herewith the correspondence mentioned in para 2 thereof relating to the Shanboguship of Sonnahalli in the Gundalpet talook.

I have the honor to be
Sir,
Your most obedt. Servt.

Deputy Commissioner
of the Mysore district

Compd.
uly.

24

Draft

(General Serial No. 30).

1896 (9)

From

The Secretary to Govt
Rev and General Depts

L.R. 98-94-8

To

The Deputy Commissioner
Mysore District

Dated 25 April 1896

Despatched 27

Received

Enclosures No. on the file

General No. Pet
No. 1893

His letter No 1264 dated 11th instant, submitting the correspondence relating to the Shanbhogship of Somahalli in the Gundlepet Taluk.

Has the honor to state that the original records ~~called for in this office No 8515 dated 18-3-96,~~ relating to ~~Pet 1772~~ ~~in~~ Revenue suit No 1 of 1888-89 * have not been sent up with the ~~records~~ papers received with the above and to request that the same may be submitted ~~for reference~~ as early as practicable.

* True copy of decree therein dated 8..-89 signed by Sheristedar S. Ramachandra Row, in the file.

2. The records received with the above are herewith returned for reference and resubmission.

By order
25/4
for Secretary

Draft
24/4/96

No. 1330
Enc. two files

76

DEPUTY COMMISSIONER'S OFFICE,
Mysore ~~Bangalore~~ District.
Dated Mysore 5th M.
~~The~~ 1896

From
The Deputy Commissioner
Mysore ~~Bangalore~~ District.

To
The Secretary to the Government of Mysore,
General and Revenue Departments.

Sir

As required in your no. [illegible] dated the 25th April 1896 I have the honor to remit herewith the original records relating to Revenue suit No. 1 of 1895-96 regarding the [illegible] of Konakalli in the Gundlupet taluk.

2. The vernacular correspondence received with the above, for reference, is herewith retransmitted.

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner.
of Mysore.

MM

Revision Case No 6 of 93-94

35

1895-96
832
Pet 7/4
MAY 96
OFFICE.

From

The Deputy Commissioner
of the Mysore District

to L.R. 98-94-9

The Secretary to the Govern
of Mysore,
Revenue and General D

Dated 5th May 1896.

No. 1330. Enc. two files

Submitting the original reci relating to Revenue Suit No 1888-89 regarding the Sha-
nik of Somahalli in the
pet taluk.

Pet Branch
8/5/96.

Submitted.
9/5

Submitted with reference to the 2nd Commissioner's order of 4/5/96 in pet No. 7
A.S.
11/5/96

11-5-96

Venkatashettaya has been suspended. The D.C. [illegible] deeming the performance of duty by turns by two Shanbogues is not quite correct and that practice ought to be dis-continued. Let Chennappaya the other ~~tot~~ having continue to do the work till further orders.

12/5/96

13-5-96

Drafted
SKR
15/5/96

Progs of the Draft Govt. of Mysore

(14)

Read:- L.R. 78-96-10

(1) Letter no. 1330 dated 5 May 1896, from the Deputy Commissioner Mysore District, submitting, as required in docket no. 8575/P 1732 dated 18th March 1896, the records relating to Revenue Suit No 1 of 1888-89 on the file of the Dy. Commissioner, in the matter of the Shanbogi of Somahalli, Gundlepet Taluk. Venkata Subbia ~~vs~~ Chennigaraya.

(2) Records relating to the suspension of Venkata Subbia from the Shanbogi for two years.

II Facts of the Case:-

Venkatasubbia and Subraya, father of Chennigaraya, were joint Barawardar Shanbogs of Somahalli. As this arrangement led to abuse and extortion, the Division ~~Dy.~~ Commissioner ordered, on 27th September 1858, that Subraya alone should do the duty. Accordingly Subbarayabecame, and after him, his son ~~Chenn~~ Chinnigaraya was the sole officiator. In January 1887 Venkatasubbaiya filed a suit for the recovery of his share in the miras from the year (1882-3) Chitrabhanu amounting to Rs 508.13.5; the deputy Commissioner ~~[illegible]~~ passed a decree on 2d August 1887 disallowing the claim of Venkatasubbia for miras on the ground that it was inexpedient to allow any 'miras' when no work was done, but recognizing his 'haq' as a co-sharer with Chinnigaraya, and directing that they do officiate by turns, one year each at a time. Venkata Subbia was accordingly given possession of the office in April 1890 and the system of rotation was thus revived in this case. In 1893 there were complaints of several irregularities against Venkata Subbia and the amildar after enquiry reported that he was found to have collected more than was due from one mada that he had caused certain lands which in due course ought to have been sold by auction, to be given out for cultivation without sale; that the presence of two Shanbogs in the village led to the existence of factions, and that it was not desirable to have Venkatsubbaiya as Shanbog. The Dy. Commr thereupon ordered the suspension of Venkata subbaiya from the office for two years and the appointment (in his place) of a man of the same family, but separated from him in interest. ~~in his place~~ X The appeal of Venkata subbaiya to Govt. against the order of suspension was rejected on the 1st March 1886, and the record relating to the order issued for taking work in this case by [illegible] was called for under Section 217 Land Rev: Code.

X No such relation having come forward one Rama-Chandra, brother-in-law of Venkatasubbia, was appointed in the latter's place on 21st Augt. 1884.

III. Order thereon: — No $\frac{4358}{R.658}$ d 13.11.90.

Venkata subbaiya has been suspended. The

Dy. Commissioner's decree directing the performance of duty by turns by two Shanbogues is not quite correct and that practice ought to be discontinued. Chennigarama the defendant in the said suit should, if he is still in charge of the work, continue to do ~~exclusively~~ it until further orders, and ~~pending~~ until the settlement of the matter after hearing both the parties.

9/11/96

C2

Returned

~~Jr~~ Secretary

13/11/96

13/11/96

To

The Dy. Commr. Shimoga

District ~~returning the~~
~~records received with~~
~~the Dy. Commr's letters~~
~~Nos. 887 and 132 dated~~
23 ~~rd December 1895~~
~~and 5th May 1896~~
~~respectively~~

Issued
13-11-96.

Proceedings of the Govt of Mysore

L.R. 98-94-11

Read:-

Govt Progs No. $\frac{4353}{P.658}$ d 13-11-96,
observing that the decree of the Deputy Commr's ~~Decree~~ ~~order~~ of Mysore in Revenue suit No. 1 of 1888-89 (Venkata Subbaiya ~~Vs~~ Chennigaraya) on the file of his court, directing the performance, by both the parties by rotation, of the Shanbhogi duties of Somahally, Gundlupet Taluk, is not correct, and that that practice should be discontinued; and ~~that~~ directing that defendant Chennigaraya should, if he is still in charge of the work, continue to do it until further orders, and pending the settlement of the question after hearing both

both the parties.

12

Order No $\frac{5510}{P.F. 31-96}$ d/ 15.12.96

Chenningaroya and Venkatasubbaiya ~~[illegible]~~ appeared and were heard in person. Both of them seem unfit for work on account of old age. It is against standing orders to appoint Shanbhogs to do work by turns. The Dy Commr. ~~will be~~ is requested to select a competent heir of either of these persons and to appoint him as the sole officiator.

Encls
3 V. files
1 Printed Judgt. of Ranjangai mpp. in O.S. 555
1 DC's ~~decree~~ Judgt
1 do Decree
(T.P. not printed and amendments put up le…

C2 + C3

For Secretary
15/12

Draft

Bbu
14/12.

1 P

To
The Deputy Commissioner,
Mysore District, with recds.

No. 1141
Enclosures No. —

43

DEPUTY COMMISSIONER'S OFFICE,
MYSORE DISTRICT,
Dated Mysore January 23rd 1897

To

The Secretary to the Government of Mysore,
Revenue and General Departments.

SIR,

Adverting to Government order No 6010/R.F. 81.96 of the 10th December 1895 directing with reference to the Shanbogi of Somahalli, Gundlupet talook that as both the hakkdars Chennigaraya and Venkata Subbiah were unfit for work on account of old age a competent heir of either of these persons might be appointed as the sole officiator, I have the honor to state as follows.

2. During the jamabandi of the Gundlepet talook this month, I had the parties and the villagers before me. The village is divided into two factions. Out of nearly 70 adult males that were present, 19 were in favor of Venkata Subbiah and his heirs and 27 in favor of Chennigiraya and his heirs and 21 were indifferent as to the individual who was to be

be appointed to the office

3. Venkata Subbiah has 3 grown up Sons, all Competent to perform the duties of the Shanbogue, but the 2nd Son Venkata Krishniah who has been performing the office had to be found fault with for having taxed Certain Carts belonging to individuals who were agriculturists. The appointment of a Competent heir of Either Venkata Subbiah or Chenniga Roya is sure to increase the party feeling of the opposite faction

4. Chennigaroya has an adopted Son who is only a boy, and in my opinion unfit to hold the office of Shanbogue of this large and troublesome Village for some years to Come.

5. In the interests of Government and the ryots of the Village I would Strongly Recommend the appointment of a Stranger unconnected with either of the huckdars until

Such

149

time as either of them is able to nominate a Competent heir whose appointment will be acceptable to the Majority of the Villagers. By such a course the Government will be able to get its work satisfactorily performed while securing peace in the Village by putting down the party spirit which is now very high. On receipt of orders approving of the above proposal I shall proceed to select a Competent individual to be Shanboque of the Village temporarily unless in the meanwhile, the parties agree between themselves as to which of them should be nominated —

I have the honor to be,
Sir,
your most obed^t Serv^t,

Deputy Commissioner
of the Nuggur Div^n

Comp^d
Uley.

3/2/97

63

1896. 4948
465

(16)

From

The Deputy Commissioner
of the Mysore District.

To L. R. 95-96-12

The Secretary to the Government of Mysore,
Revenue and General Departments.

Dated 23rd } January 1897
Despatched
Received

Enclosures No. —

No. 1141

Furnishes information in connection with the Shanbogi of Somahalli in the Gundlupet taluk

The Dy Commr's report points out certain difficulties in giving effect to the Govt order of 15/12/96 (Serial no 16 in the file). According to the report, the sons of one hukdar are competent for the office while the son of the other hukdar is not competent. The appointment of the former is said to be inexpedient on public grounds (growth of faction &c) and the appointment of a stranger temporarily at least is advocated.

= It is submitted that the reference is not quite necessary as the Dy Commr is competent to override ~~the~~ the hereditary principle on the ground of [illegible] and appoint a shanbog, subject of course to an appeal to Govt. The present case is however peculiar and difficult.

Subd to 2nd Committee

[illegible] 5/2/97

Recd 9.30. Am
9/2/97.

The consent of the parties is immaterial. The Dy Commr should select the most competent of the heirs. It is not right to exclude all heirs in anticipation of future difficulties. If the man who is appd does not behave well he can be easily removed on sufficient cause shown.
9/2/97

Petition Branch
27-1-97
27/1

Draft [illegible]
10/2/97

Draft [illegible]
12/2/97

(1)

Proceedings of the Govt of Mysore

L.R. 98-94-13

Read

Govt Proceedings No 5510 dated 15th December 1896, directing that, as both the hukdars Chennagiriappa and Venkata Subbiah were unfit for work on account of old age, a competent heir of either of these persons should be appointed as the sole officiating shanbhog of Somahally in the Gundlepet Taluk

Rd. 31-96

2. Letter No 1141 dated 23rd January 1897, from the Deputy Commr Mysore Dt, stating that, as the village is divided into two factions, one in favour of Venkatasubbiah and the other of influential Chennagiriaya ~~respectively~~ the appointment of a competent heir of either of them is sure to increase the party feeling of

of the opposite faction and recommending ~~that~~ the appointment of a stranger unconnected with either of the huckdars until such time as either of them is able to nominate a competent heir whose appointment will be acceptable to the majority of the villagers.

p

Order thereon $\frac{\text{No } 7318}{\text{P.F. 31-96}}$ $\frac{12.2.97}{16}$

The consent of the parties is immaterial. The Deputy Commissioner should select the most ~~important~~ competent of the heirs. It is not right to exclude all heirs in anticipation of future difficulties. If the man who is appointed does not behave well, he can be easily removed on sufficient cause being shown.

for Secretary
12/2/97

To.
The Deputy Commr. Mysore
Dt.